

PTO/SB/26 (04-07)

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# TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket Number (Optional)  
13067-004001

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In re Application of: Charles Nelson

Application No.: 10/752,402

Filed: January 6, 2004

For: Venting Reclosable Bags

The owner, S. C. Johnson Home Storage, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,692,147 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

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- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 50,556

TPRiley Signature 26 Apr 2007 Date  
Thomas P. Riley  
Typed or printed name

312-263-4700  
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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